

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

---

ROY MITCHELL,

Plaintiff,

v.

SARA WASSERBERG, et al.

Defendants.

---

ORDER

Case No. 16-cv-593-wmc

Plaintiff Roy Mitchell, an inmate in the custody of the Dane County Jail in Madison, Wisconsin, has submitted a proposed civil action under 42 U.S.C. § 1983. Plaintiff has filed a certified copy of a trust fund account statement in support of the motion for leave to proceed without prepaying the fee. After considering the motion and supporting documentation, the court concludes that plaintiff qualifies for indigent status.

Even when an inmate litigant qualifies for indigent status, the litigant must pay a portion of the fee returned by the formula set forth in 28 U.S.C. § 1915(b)(1). Using information for the relevant time period from plaintiff's trust fund account statement, I conclude plaintiff's initial partial filing fee to be \$3.48.

On September 2, 2016, the clerk's office received a check from plaintiff in the amount of \$7.01 as payment for the filing fee in this case, of which \$3.48 will be applied toward the initial partial payment. The remainder of the check will be applied toward plaintiff's other debt obligations in this court.

ORDER

IT IS ORDERED that,

1. Plaintiff Roy Mitchell's \$7.01 check is accepted, of which \$3.48 will be applied toward the initial partial payment of the \$350 filing fee for filing this case.
2. No further action will be taken in this case until the court has screened the complaint as required by the Prisoner Litigation Reform Act, 28 U.S.C. § 1915(e)(2). Once the screening process is complete, a separate order will issue.

Entered this 13<sup>th</sup> day of September, 2016.

BY THE COURT:

/s/  
PETER OPPENEER  
Magistrate Judge